

## **REMARKS**

### ***Status of the Claims***

In an Advisory Action dated December 16, 2009, the Examiner indicated that Applicants' Amendment After Final Action under 37 C.F.R. § 1.116 filed on December 7, 2009, would not be entered. Applicants are co-filing a Request for Continued Examination herewith, and respectfully request entry of the instant Amendment.

After entry of the instant Amendment, claims 1-4, 6-17 and 19-21 are currently pending in this application. Claims 11-17 have been withdrawn from further consideration. Claims 5 and 18 are cancelled. No new matter has been added by way of the present amendment. For instance, the amendments to claims 1 and 7, as well as new claims 20 and 21, are supported by the Specification at, for example, pages 6-7, paragraphs [0020]-[0021]. The dependency of claim 6 has been amended. Accordingly, no new matter has been added.

The present application is believed to be in condition for allowance. In view of the amendments and remarks herein, Applicants respectfully request that the Examiner withdraw all outstanding rejections and allow the currently pending claims.

### **Issues Under 35 U.S.C. § 102(e)**

Claims 1-10 and 18-19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Tsuura et al. (U.S. 2004/0069429) (hereinafter Tsuura '429). Applicants respectfully traverse.

The Examiner asserts that Tsuura '429 teaches a process of making a pulp fiber molded article by papermaking steps, wherein pulp slurry is placed in a mold and force is applied to the

pulp mass by pressing. The Examiner argues that Figure 1 of Tsuura '429 shows that the formed article has an edge that has a thick walled part, as well as "grooves for mating."

Applicants respectfully submit that the Examiner has failed to establish a *prima facie* case of anticipation. For anticipation under 35 U.S.C. § 102, the reference must teach each and every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present. The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic. *In re Rijckaert*, 9 F.3d 1531, 28 USPQ2d 1955 (Fed. Cir. 1993). To establish inherency, the extrinsic evidence "must make clear that the missing descriptive matter is necessarily present". *In re Robertson*, 169 F.3d 743, 49 USPQ2d 1949 (Fed. Cir. 1999). The mere fact that a certain thing may result from a given set of circumstances is not sufficient. *Id.*

Tsuura '429 discloses an element made by papermaking for use in production of a die casting which comprises an organic fiber, an inorganic fiber and a binder (see Abstract). Tsuura '429 further discloses that the element is formed by forming a slurry comprising the organic fiber, inorganic fiber and binder, and subsequently forming a "preform" with the slurry by a papermaking process (see [0045]-[0051]).

Applicants submit, however, that Tsuura '429 fails to explicitly or implicitly teach a method of producing a fiber molded article as claimed, comprising the steps of (a) forming a fiber deposit layer containing a fiber material by papermaking processing, and (b) pressing the fiber deposit layer, wherein the fiber deposit layer is formed in a papermaking mold having a recess, and wherein the depth of the recess is 1 to 20 mm (see, e.g., claim 1). Moreover, Tsuura '429 fails to teach that the step of forming the fiber deposit layer by papermaking processing

comprises providing a papermaking mold having a papermaking portion corresponding to a shape of the fiber deposit layer, wherein the papermaking mold has a parting face and a base part corresponding to an upper surface of a flange of the fiber deposit layer and bending a basal part of the flange to form a thick-walled part at or near the edge of the fiber deposit layer when the fiber deposit layer is released from the papermaking mold (see, e.g., claim 20).

As previously discussed, Tsuura '429 merely discloses a molded element for casting. The molded element for casting of Tsuura '429 is used for forming, for example, a sprue (1), as shown in FIG. 1 (see also paragraph [0067] of Tsuura '429). The sprue (1) comprises two cylindrical elements (elements (11) and (12)) connected by fitting, as shown in FIG. 1 (see also paragraph [0068] of Tsuura '429).

The cylindrical element (11) is formed by a process wherein a material slurry is poured under pressure (injected) into a cylindrical mold comprising a pair of splits that are joined together (see paragraph [0051] of Tsuura '429). Subsequently, an elastically expandable hollow pressing member (elastic pressing member) is inserted into a cavity of the mold, followed by a step of expanding the pressing member (see [0052]-[0054]). A fiber layer is then pressed toward the inner wall of the cavity of the mold to dewater the same (see [0053] - [0056]). Afterward, the mold is opened to take out the fiber layer, and the resultant fiber layer is heated and dried (see [0057] - [0063]).

As is evident from the steps that comprise the process of Tsuura '429, the resultant fiber layer of Tsuura '429 has no joint seams formed by joining the articles or thick-walled parts, and as a result, the cylindrical element (11) has neither joint seams nor thick-walled parts (see [0056]). In stark contrast, the fiber molded articles (11) of the present invention are used in pairs,

as shown in Figs. 12 (a) and (b), and are joined together to form a molded element for casting. Thus, contrary to Tsuura's article, which lacks joint seams, the present molded element for casting exhibits joint seams, formed by the fiber molded articles of the present invention.

The fiber molded article (11) of the present invention is produced by pressing a fiber deposit layer (10) having a thick-walled part (104) (see Fig. 11 (a-b), paragraphs [0048]-[0050], and claim 1). Applicants submit that Tsuura '429 does not explicitly or impliedly teach a fiber deposit layer having a thick-walled part.

In the present invention, the thick-walled part (104) of the fiber deposit layer (10) is formed by bending the basal part of the flange (101) of the fiber deposit layer (10). Specifically, the outer peripheral portion of the flange (101), located at the recess (310) of the flange (101), is sucked through the gas/liquid passageways (407) of the female mold (40) and bent thereby to form the thick-walled part (104) (see claims 1 and 7; paragraphs [0021], [0025], [0047] and [0048]; Fig. 2 and Fig. 6). In stark contrast, because Tsuura's article lacks joint seams, there is no need for Tsuura '429 to form a flange (see, *e.g.*, claims 1 and 7).

Tsuura '429 fails to explicitly or implicitly teach each and every limitation of the present invention, and thus fails to anticipate the same.

Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

### **Conclusion**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and objections and that they be withdrawn. It is believed that a

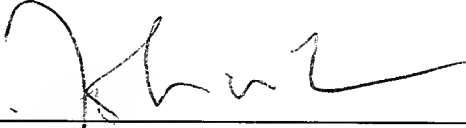
full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Stephanie A. Wardwell, Reg. No. 48,025, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By   
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